



PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Georg BERGER, Renate GILDENHAAR and Andrea SPITZER

Application No.: 10/689,220

Filed: October 20, 2003

For: GLASS AS SINTERING AID AND OPEN-PORE MOULDED BODY AND  
METHOD FOR MANUFACTURING SAME

Attorney Docket No.: 3975.024

Customer No.: 000041288

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97 and §1.98

Mail Stop \_\_\_\_\_

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 56, Applicants hereby notify the U.S. Patent and Trademark Office of the following documents for the above-identified application which were cited in the specification of the present invention. Copies of the documents set forth below and listed on the attached Form PTO-1449, are provided herewith.

1. European Patent No. 0 237 043 B1
2. European Patent No. 0 541 546 B1

**Document 1**

The relevancy of Document 1 is discussed at paragraph 2 of the present specification. Applicants are not aware of any English language document corresponding to Document 1, but an English language abstract is attached. Further, the claims of Document 1 are in the English language.

Document 1 concerns a sheet material which contains calcium phosphate and which is compatible with a biological medium. It consists of a main body which contains, as main constituent, calcium orthophosphate and on which there is situated at least one outer sheet releasing calcium ions, the release of calcium from the sheet being greater than the release of calcium from the main body. The sheet material, which can be used as a temporary or permanent bone replacement substance, is produced by treatment with an acid or application of a sheet containing calcium compounds and subsequent heating between 400 and 1000°C.

**Document 2**

The relevancy of Document 2 is discussed at paragraph 3 of the present specification. Applicants are not aware of any English language document equivalent to Document 2. Document 2 contains claims in the English language. A copy of the Abstract of World Patent Number 91/07357, which is in the patent family, is attached.

The present Information Disclosure Statement is being filed after three months from the application's filing date but before the mailing date of the first Office Action on the merits,

U.S. PATENT APPLICATION  
SERIAL NO.: 10/689,220  
INFORMATION DISCLOSURE STATEMENT

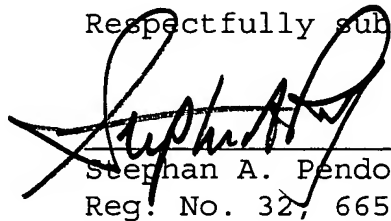
ATTY DOCK: 3975.024

therefore no Certification Under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedated or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicant respectfully requests that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

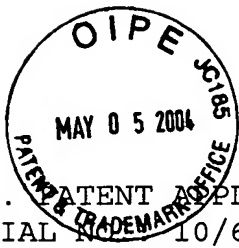
Respectfully submitted,



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Dated: May 3, 2004



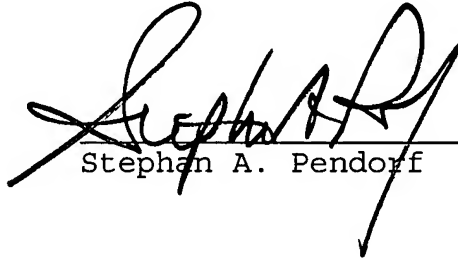
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**CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE**

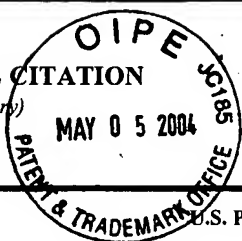
I hereby certify that the foregoing INFORMATION DISCLOSURE STATEMENT Form PTO-1449, including two (2) documents, for U.S. Application No. 10/689,220 filed October 20, 2003, were deposited in first class U.S. mail, postage prepaid, P.O. Box 1450, Alexandria, VA 22313-1450, on **May 3, 2004**.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application, except for the issue fee, without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

  
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Stephen A. Pendorff

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional)

3975.024

Application Number

10/689,220

Applicant(s)

Georg Berger et al.

Filing Date

10/20/2003

Group Art Unit

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		0 237 043 B1	3/11/1987	Europe	A61L	27/00		✓
		0 541 546 B1	11/12/1990	Europe	C03C	3/16		✓

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.